IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 10TH DECEMBER 2007 / 19TH AGRAHAYANA 1929

WP(C).No. 21300 of 2007(I)

PETITIONER:

POLLY ISSAC, MANAGING PARTNER,
CODS CONSTRUCTIONS, AAKKAKULANGARA BUILDINGS,
OLIYAPPURAM-686679.

BY ADV. SRI.K.R.MICHAEL
SRI.FRANCIS JOSEPH KURISINKAL
SRI.REJI JOSEPH

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO MINISTRY OF VILLAGE AND RURAL
DEVELOPMENT DEPARTMENT, SECRETARIAT,
TRIVANDRUM.

2. THE SECRETARY, REP. BY
KADUTHURUTHY BLOCK PANCHAYATH, KADUTHURUTHY.

3. ASSISTANT ENGINEER,
KADUTHURUTHY BLOCK PANCHAYATH, KADUTHURUTHY.

4. THE RURAL DEVELOPMENT COMMISSIONER,
OFFICE OF THE RURAL DEVELOPMENT,
COLLECTRATE, KOTTAYAM.

5. THE PRESIDENT,
KADUTHURUTHY BLOCK PANCHAYATH, KADUTHURUTHY.

BY ADV. SRI.S.RADHAKRISHNAN
SRI.S.RAJ MOHAN --- R2 AND R5
GOVERNMENT PLEADER SMT. K.J. MOHAMMED ANZAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 21300/2007 I

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE REGISTRATION CERTIFICATE DT. 12/07/06 OF THE PETITIONER.

EXT.P2. COPY OF THE LETTER DT. 7/12/06 OF THE R2.

EXT.P3. COPY OF THE AGREEMENT BETWEEN THE PETITIONER AND R2 DT. 20/12/06 NO. 14/06-07 ALONG WITH ITS ANNEXURE.

EXT.P4. COPY OF THE LETTER DT. 25/1/07 OF THE PETITIONER.

EXT.P5, P5A AND P5B. COPY OF THE LETTERS DT.10/5/07 TO BOTH THE RESPONDENTS AND RECEIPTS OF COURIER SERVICE.

EXT.P6. COPY OF THE LETTER DT. 18/5/07 OF THE R2.

EXT.P7. COPY OF THE LETTER AND RECEIPT OF THE COURIER SERVICE DT. 26/5/07 OF THE PETITIONER.

EXT.P8. COPY OF THE LETTER DT. 6/6/07 OF THE R2.

EXT.P9. COPY OF THE NOTICE DT. 2/07/07 OF THE R2.

EXT.P10. COPY OF THE REPRESENTATION DT. 5/07/07 OF THE PETITIONER.

RESPONDENT'S EXHIBITS **NIL.**

True copy

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PIUS C. KURIAKOSE,J.

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W.P.(C) No.21300 of 2007

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Dated: 10th December, 2007

JUDGMENT

Even though the Panchayat has filed a counter affidavit repudiating the grounds raised in this Writ Petition, since the Secretary of the Panchayat is yet to take a decision on Ext.P10 which is seen pending before him, I do not propose to go into the merits of the matter. The Writ Petition will stand disposed of directing the 2nd respondent to take up Ext.P10 immediately, hear the petitioner on the various grounds raised by him in the Writ Petition and take a correct decision on Ext.P10. Decision as directed above will be taken at the earliest and at any rate within one month of receiving copy of the judgment.

srd **PIUS C.KURIAKOSE, JUDGE**